

### **REMARKS**

This Amendment is responsive to the Final Rejection of July 29, 2010 and is being filed within two-months of the filing of the Notice of Appeal on December 29, 2010. Reconsideration and allowance of claims 2-9, 11, 12, 19, 21, and 22 are requested.

### **The Office Action**

The Examiner objected to the drawings.

The Examiner objected to claims 6-8.

Claims 5, 21, and 22 stand rejected under 35 U.S.C. § 112, first paragraph.

Claims 2, 4, and 9 stand allowed.

No claims stand rejected on prior art.

### **Objections to the Drawings**

The applicants propose to add new Figure 4. Antecedent basis for new Figure 4 is found at page 8, line 30 - page 9, line 16 of the application as filed. Claims 11, 12, 19, and 22 have been amended to conform to new Figure 4.

### **Claim Objections**

Claims 6-8 have been amended as the Examiner suggested.

### **35 U.S.C. § 112, First Paragraph**

In order to address the Examiner's assertion that these claims fail to define "an optimal Field-of-View", these claims have been amended to delete "optimal". First, it is submitted that "optimal" is not necessary for the patentability of the claims. Second, because it was asserted that "optimal Field-of-View" was not defined in the specification, it is submitted that "optimal" would have been given no patentable weight in the examination of claims 5, 21, and 22.

Accordingly, it is submitted that claims 5, 21, and 22 comply fully with the requirements of 35 U.S.C. § 112.

### **35 U.S.C. § 112, Second Paragraph**

Claims 11, 12, and 19 have been amended to cure the alleged indefiniteness as set forth in Paragraph 6 and Paragraph 9 of the Final Rejection.

The applicant stands willing to work with the Examiner to adjust the language of these claims in order to resolve the 35 U.S.C. § 112 issues.

### **Claims 11, 12, and 22**

The applicant further proposes to amend the apparatus claims such that each only sets forth the apparatus or structure shown in Figure 4. Specifically, claim 22 has been amended to call for one or more computers (page 9, line 31 and 33) which are programmed to perform the series of steps which have previously been set forth in means-plus-function format.

Claim 11 has been amended analogously except that it calls for a workstation (page 8, line 14) programmed to perform the steps or functions which have previously been set forth in means-plus-function format. Additional amendments were made to claim 11 to address terms which the Examiner discussed in Section (9) – Response to Arguments of the Final Rejection.

### **Interview Summary**

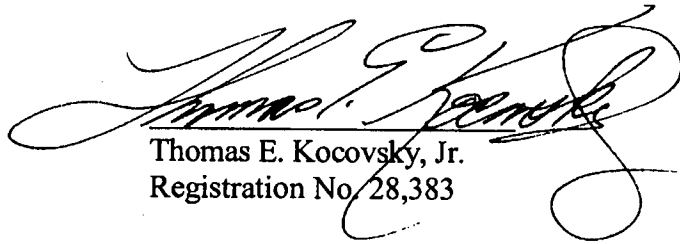
The applicant expresses appreciation to Examiner Reardon for the courtesy of a Telephone Interview on February 22. In the Interview, the Examiner advised the undersigned that the proposed amendment appeared to resolve the 35 U.S.C. § 112 issues, but that the amendments to independent claims 11 and 22 would require further search or consideration.

### **CONCLUSION**

For the reasons set forth above, it is submitted that all claims comply with the statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone Thomas Kocovsky at 216.363.9000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas E. Kocovsky, Jr.", is written over a horizontal line.

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